

REMARKS

This Amendment and Response is responsive to the Office Action mailed September 15, 2004. In that action: claims 12 and 30 were allowed; claims 1-10, 20-29, and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goss (USPN 6,493,447) in view of Coffman, et al. (USPN 6,385,191); and claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss, Coffman, and further in view of Sassin (USPN 6, 449,260).

Allowed claim 30 has been amended to correct a typographical error.

Other than allowed claims 12 and 30, each of the remaining pending claims has been rejected as unpatentable over Goss in combination with one or more references. Goss appears to disclose a server at a call center accessed via the Internet that enables customers to submit call-back requests. While Goss appears to disclose many of the limitations of the rejected independent claims (1, 20, and 31), Goss clearly does not disclose the limitation in these claims relating to establishing an audio connection via the computer-based data network between the system user and an available service agent.

Particularly, with respect to claim 31, the Examiner argues that Coffman makes up the deficiencies in Goss and that it would be obvious to combine the teachings of the two references. The limitation “to place a telephone call via the Internet from the computer-based device of the system user to the computer-based device of an available service agent” contains two different limitations that are not found in Goss. First of all, Goss does not appear to disclose telephone calls being placed via the Internet from one computer-based device to another computer-based device. Instead, Goss includes a call center in which an agent has a work station connected to a server which is connected to the Internet, with the customer’s computer also being connected to the Internet to servers at the call center. In this manner, a telephonic discussion between the

agent at the call center and the customer can be augmented in this fashion. The system of Goss clearly still requires that the audio communication that is the substance of the telephone conversation be conducted via the PSTN 20 (Fig. 1).

A second key distinction over Goss is the fact that the present invention provides that the system user places the telephone call to the service agent. Goss, on the other hand, provides that the user place a callback request, which later results in an agent placing a call to the system user. While the Examiner has argued that it would be obvious to combine the teaching in Coffman of placing an Internet call from a user to a call center with Goss, a more complete reading of Goss reveals that it would not be obvious to one with skill in the art to combine the teachings of Goss and Coffman in this manner. Particularly, throughout the entire Goss disclosure, it is evident that Goss is attempting to address the problem of a customer phoning a call center and being placed on hold because there are not enough agents available at the call center. As Goss discusses in detail in column 1, lines 43-59, often the customer is placed on hold and provided the ability to interact with an interactive voice response system. Customers are frequently aggravated at not being able to resolve their concerns in a timely manner. For this reason, Goss addresses this problem by allowing customers to request a callback via the Internet.

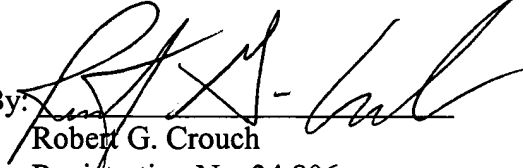
Thus, Goss in fact teaches away from the present invention by disclosing that submitting callback requests is the preferred method for connecting an agent with a customer. This is the opposite approach from the one taken by the present invention. For this reason, a person of skill in the art who read Goss would not be motivated to modify Goss by the teachings of Coffman as suggested by the Examiner. For all of these reasons, it would not be obvious to combine the teachings of Goss and Coffman to obtain the invention defined in claim 31. Allowance of this claim is requested.

Independent claims 1 and 20 also include similar limitations and for similar reasons are patentable as well, as are each of the claims dependent thereon (claims 2-10 and 21-29).

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

Robert G. Crouch

Registration No. 34,806

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

(720) 562-5506

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